

REMARKS

Claims 1-12 and 17-20 are pending, with claims 1, 5, and 9 being independent. Claims 1-3, 5-7, and 9-11 have been amended. Support for the amendments may be found in the specification at, for example, paragraphs [0026] and [0027]. No new matter has been added.

Interview

Applicants wishes to thank Examiner Manoharan and Supervisory Examiner Eng for the courtesy extended on the August 21, 2007 interview. The interview included a discussion of a proposed claim amendment to claim 1 in view of the currently applied § 112 and § 103 rejections and a demonstration of handsets displaying an embodiment of the subject matter of the application.

As shown by the Examiner Interview Summary (attached to this amendment), agreement was reached between applicants and the examiner that the proposed claim amendment overcomes the references in the §103 rejection and that the § 112 rejection would be withdrawn. This amendment includes the proposed claim amendment to claim 1 as well as similar amendments to independent claims 5 and 9. The below remarks further reflect the substance of the interview. In addition, applicants' have amended the claim language "the sound segment to be played within the voice channel" to "the sound segment to be carried within the voice channel" merely to clarify the claims.

Claim Rejection

Claims 1, 5, and 9 stand rejected under 35 U.S.C. 112 first paragraph. Page three of the Office Action states:

The claim(s) contains subject matter, "**receive instruction that a particular catalog has been selected**", which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claim invention.

Applicants respectfully submit that the above subject matter is described in sufficient detail in the specification to satisfy 112 first paragraph. For example, paragraph [0027] of the specification states (emphasis added):

The microcontroller 205 may also be configured to function with the storage 210 to provide data and database storage functions. For example, storing the input data may also include setting up and creating categories in some other catalog or database format that provides organization for the data. This allows for easy retrieval and organization, for example, through menus and files visible on the display 230 and controlled through the function controls 245 and/or the trigger mechanisms 240, all of which function with the microcontroller 205.

The specification's description of setting up categories in catalogs for retrieval through menus and files on a display reasonably conveys that applicants had possession of the claimed subject matter of a client controller structured and arranged to "receive instruction that a particular catalog has been selected," and applicants respectfully request reconsideration and withdrawal of the rejection.

For at least these reasons, applicants respectfully request reconsideration and withdrawal of the § 112 rejection of claims 1, 5, and 9 as agreed during the interview.

Hollstrom, Hoisko, and Kovales Rejection

Claims 1-12 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being rendered obvious by Hollstrom et al. (U.S. Pub. No. 2001/0041588) in view of Hoisko et al. (U.S. Pub. No. 2002/0082007), and further in view of Kovales et al. (U.S. Patent No. 7,003,083).

Applicants have amended. As agreed during the interview, the amendment overcomes the cited combination. Specifically, at least, Hollstrom, Hoisko, and Kovales, individually or in combination, fail to describe or suggest a client controller structured and arranged "*to load the catalog such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog, the two or more sound trigger buttons are adapted to be activated in response to a user input after a voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the catalog loaded by the client controller for insertion into the voice channel responsive to sound trigger button activation during an ongoing communication over the voice channel,*" as recited in amended claim 1.

The primary reference, Hollstrom, is directed to a wireless phone that allows a user to listen to music. As shown in Figs. 1 and 5, Hollstrom teaches an accessory device 8 that is coupled to a phone. The accessory device 8 may include a flash card for loading music. While Hollstrom describes rendering music for multiple users, Hollstrom does not disclose the claimed catalogs or sound trigger buttons, as included in amended claim 1. The inability of Hollstrom to meet the claim limitation is understandable given the focus of Hollstrom on the problem of having to use separate devices for listening and communications,¹ which is described most clearly in its background section.

Further, this difference of Hollstrom is acknowledged on pages 4-5 of the final Office Action, and the final Office Action's reliance on Hoisko to teach the previous limitations of "to receive instructions that a particular catalog has been selected," and "to load the catalog such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog."

Hoisko teaches a method for a user to load music using affective states (e.g., mood).² In Hoisko, music is rendered in the background of the message to give the called party an idea of the state of mind of the caller.³ For a call, suitable background music is specified in advance through use of an "affective state" or by means of an automatic state of mind recognizer, such as, an electromyogram sensor.⁴

Since Hoisko relates to the rendering of mood music, Hoisko represents different technologies and is designed to realize different objectives. Specifically, Hoisko describes selection of a background song prior to a call through selection or recognition of a mood rather than selecting a clip through use of multiple available sound triggers buttons during an ongoing phone call. Applicants' amendment clarifies these differences through reciting loading "the catalog such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog, the two or more sound trigger buttons are adapted to be activated in response to a user input after a voice channel is

¹ See Hollstrom, Paragraphs 1-23.

² See Hoisko, Abstract

³ See Hoisko, Abstract.

⁴ See Hoisko, Paragraphs [0019] and [0021]

established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the catalog.” In contrast Hoisko’s music is selected through use of an affective mood state or through manual selection by the music’s name.⁵

Specifically, paragraph [0027] of Hoisko states:

If several musical compositions are associated with the selected affective state, a system programmed in the menu functions chooses one of them. Naturally the user of the phone may also select the background music direct by the name 11a, 11b, . . . , 11n of the musical composition 10a, 10b, . . . , 10n whereby the selected musical composition is played as background music....⁶

Hoisko’s selection of an affective state does not describe or suggest loading a catalog such that multiple sound trigger buttons become programmed as claimed. Rather, Hoisko describes manual selection, such as browsing “the menu using the phone's keypad and choose a suitable emotion or musical composition” or by selection of a song’s name.⁷ In contrast to inserting music through selecting a mood or a name, the claim recites loading catalogs such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog...to be activated in response to a user input after a voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the catalog. Therefore, Hoisko’s affective state does not describe or suggest loading a catalog as claimed.

The Office Action acknowledges these shortcomings of Hoisko, stating that neither “Hollstrom nor Hoisko teaches multiple sound trigger buttons on a handset become programmed to each corresponds to a specific sound segment within the selected catalog....” Moreover, the Office Action’s response to applicants’ previous demonstration of Hoisko’s deficiencies relies on Kovals’ teachings without mentioning Hoisko.⁸

In Kovals, a user initiates a telephone call and enters background music into the phone call. For example, a user may connect to a voice mail system and insert background music after receiving a specific prompt inviting input.⁹

⁵ See Hoisko, Embodiments FIGS 3-6, and Paragraphs [0027, 0028, 0030, and 0031] respectively

⁶ See Hoisko, Paragraph [0019]

⁷ See Hoisko. Paragraphs [0017] and [0019]

⁸ See Office Action, pages 2-3 (“Response to Arguments”)

⁹ See Kovals, Figure 1, 105

Kovales does not describe or suggest loading a catalog such that multiple sound trigger buttons become programmed as claimed. Rather Kovales teaches the use and transmission of files themselves. In particular, rather than loading a catalog such that sound trigger buttons are programmed as claimed, Kovales simply describes caller selection of sound files or default files without loading catalogs such that multiple sound trigger buttons become programmed.¹⁰ Consequently, Kovales does not disclose or suggest “to load the catalog such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog, the two or more sound trigger buttons are adapted to be activated in response to a user input after a voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the catalog loaded by the client controller for insertion into the voice channel responsive to sound trigger button activation during an ongoing communication over the voice channel” as recited in amended claim 1.

Consequently, none of Hollstrom, Hoisko, or Kovales, individually or in combination, describe or suggest a client controller structured and arranged “to load the catalog such that two or more sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected catalog, the two or more sound trigger buttons are adapted to be activated in response to a user input after a voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the catalog loaded by the client controller for insertion into the voice channel responsive to sound trigger button activation during an ongoing communication over the voice channel,” as recited in amended claim 1.

For at least these reasons, applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claim 1 and its dependent claims 2-4 and 17.

Similarly to claim 1, each of independent claims 5 and 9 have been amended to recite limitations believed to place them in condition for allowance. Accordingly, applicants

¹⁰ See Kovales, Column 5, lines 54-64 and Column 6, lines 20-25

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respectfully request withdrawal of the § 103(a) rejection of claims 5 and 9, and their dependent claims 6-8, 10-12, and 18-20, for at least the reasons discussed above with respect to claim 1.

Applicants submits that all claims are in condition for allowance. No fees are believed due at this time. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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/Gabriel Olander/

Gabriel D. Olander
Reg. No. 59,185

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

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